

REMARKS

Request for Reconsideration, Informal Matters, Claims Pending

The application stands subject to a non-final Office action mailed on 13 March 2009. Reconsideration of the claimed invention in view of the amendments above and the discussion below is respectfully requested.

An extension under 37 CFR 1.136(a) has been obtained.

In Claims 12, the term "the" was stricken before the phrase "no-identity page". This term was intended to be stricken from Claim 12 in Applicants' previous amendment filed on 22 May 2008, but was not properly crossed-out.

Claims 1 and 3-23 are pending.

Arguments re: Jokinen & Mullins

Rejection Summary

Claims 19-23 are rejected under 35 U.S.C. 103(a) for anticipation by U.S. Patent No. 5,570,369 (Jokinen) in view of U.S. Patent No. 5,404,374 (Mullins).

Discussion of Claim 19

Claim 19 was amended to indicate that the portions of the incoming message received include "... convolutionally encoded data...."

Support for the amendment may be found at paragraph [0025] of the original specification wherein de-convolution decoding, for example Viterbi decoding, is disclosed. Jokinen and Mullins fail to suggest a

.. mobile wireless communication device capable of receiving an incoming message transmitted in a series of portions over successive intervals, comprising:
a receiver;
a controller coupled to the receiver,
the controller configured to cause the receiver to receive portions of an incoming message in at least two successive intervals without receiving a portion of the incoming message in a first of the successive intervals,
the portions of the incoming message received include convolutionally encoded data;
the controller configured to decode the encoded data of the portions of the incoming message received.

There is no disclosure or suggestion in either Jokinen or Mullins for a message that includes "include convolutionally encoded data" and for the subsequent step of decoding the "encoded data of the portions of the incoming message received." Amended Claim 19 is thus patentably distinguished over Jokinen and Mullins.

Discussion of Allowed & Allowable Subject Matter

Claims 1 and 3-18 stand allowed.

Prayer For Relief

In view of the discussion above and the attached certified copy of the priority document, the Claims of the present application are in condition

BINZEL ET AL.
"Incoming Message Decoding in Wireless
Communications Devices And Methods Therefor"
Atty. Docket No. CS21165RL

Appl. No. 10/637,124
Confirm. No. 3836
Examiner N. Vo
Art Unit 2618

for allowance. Kindly withdraw any rejections and objections and allow this application to issue as a United States Patent without further delay.

Respectfully submitted,

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